

HOUSE JOURNAL

FORTY-FIRST LEGISLATURE, FIRST CALLED SESSION

PROCEEDINGS

FIRST DAY.

Hall of the House of Representatives,
Austin, Texas,
Monday, April 22, 1929.

In obedience to the proclamation of His Excellency, Dan Moody, Governor of Texas, convening the Forty-first Legislature to meet in Special Session at Austin, the seat of government, this the 22nd day of April, 1929, the members of the House of Representatives assembled in Representative Hall and at 12 o'clock m. the House was called to order by Hon. W. S. Barron, Speaker.

Speaker Barron then directed the Clerk to call the roll.

The roll was called and the following members were present:

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| Mr. Speaker. | Gerron. |
| Acker. | Gilbert. |
| Ackerman. | Giles. |
| Adkins. | Graves |
| Albritton. | of Williamson. |
| Anderson. | Graves of Erath. |
| Baker. | Hardy. |
| Baldwin. | Harding. |
| Barnett. | Harman. |
| Bateman. | Harper. |
| Bond. | Heaton. |
| Bounds. | Hefley. |
| Bradley. | Hines. |
| Brice. | Hogg. |
| Brooks. | Holder. |
| Carpenter. | Hopkins. |
| Chastain. | Hornaday. |
| Coltrin. | Hubbard. |
| Conway. | Jenkins. |
| Cox of Navarro. | Johnson |
| Cox of Lamar. | of Dimmit. |
| Cox of Limestone. | Johnson of Smith. |
| Davis. | Johnson of Scurry. |
| DeWolfe. | Jones. |
| Dunlap. | Justiss. |
| Duvall. | Kayton. |
| Enderby. | Keeton. |
| Ewing. | Keller. |
| Eickenroht. | Kemble. |
| Finn. | Kennedy. |
| Finlay. | Kenyon. |
| Forbes. | Kincaid. |
| Gates. | Kinnear. |

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| Lee. | Reader. |
| Lemens. | Reid. |
| Long of Houston. | Renfro. |
| Long of Wichita. | Richardson. |
| Loy. | Rogers. |
| Mankin. | Rountree. |
| Marks. | Sanders. |
| Mauritz. | Savage. |
| Maynard. | Shaver. |
| McCombs. | Shelton. |
| McGill. | Sherrill. |
| McKean. | Shipman. |
| Mehl. | Sinks. |
| Metcalf. | Smith. |
| Minor. | Snelgrove. |
| Montgomery. | Speck. |
| Moore. | Stevenson. |
| Morse. | Strong. |
| Mosely. | Thompson. |
| Mullally. | Thurmond. |
| Murphy. | Tillotson. |
| Negley. | Turner. |
| Nicholson. | Van Zandt. |
| Olsen. | Veatch. |
| O'Neill. | Waddell. |
| Palmer. | Wallace. |
| Patterson. | Walters. |
| Pavlica. | Warwick. |
| Petsch. | Webb. |
| Pool. | Wiggs. |
| Pope of Jones. | Williams |
| Pope of Nueces. | of Sabine. |
| Prendergast. | Williams |
| Purl. | of Travis. |
| Quinn. | Woodall. |
| Ray. | Young. |

Absent.

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| Avis. | Stephens. |
| Beck. | Storey. |
| Fuchs. | Tarwater. |
| Harrison. | Westbrook. |
| King. | White. |
| Land. | Williams |
| Martin. | of Hardin. |
| McDonald. | Woodruff. |
| Simmons. | |

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

PROCLAMATION BY THE
GOVERNOR.

The Speaker then laid before the House and had read the following proclamation by the Governor:

Proclamation by the
Governor of the State of Texas.

No. 3792.

To All Whom These Present Shall
Come:

Whereas, Economic and humanitarian considerations call for the enactment of laws providing for the concentration of the prison system and a public necessity exists for the enactment of such legislation; and

Whereas, The amendment adopted by the people of Texas at the last general election to Section 8 of Article VII of the Constitution of Texas has not been given effect by the enactment of laws pursuant thereto, and a necessity exists therefor; and

Whereas, The economic welfare of the State and the prompt disposition of its business in its several departments calls for the enactment of laws providing for a merit system for the selection of subordinate employees of the State government; now, therefore,

I, Dan Moody, Governor of the State of Texas, do, by virtue of the authority vested in me by the Constitution of this State, hereby call a Special Session of the Forty-first Legislature to convene in the city of Austin at 12 o'clock, noon, on Monday, the 22nd day of April, A. D. 1929, for the following purposes:

1. To enact laws providing for the concentration of the Texas prison system, and the improvement of said system along modern and scientific lines.

2. To enact laws carrying into effect the amendment to Section 8 of Article VII of the Constitution.

3. To provide a merit system for the selection of subordinate employees of the State government.

4. To consider and act on such other subjects of public importance as the Executive may, from time to time during the session, submit by message or otherwise.

In testimony whereof, I hereunto sign my name and cause to be impressed hereon the seal of the State of Texas at

Austin, this the 9th day of April, A. D. 1929.

(Signed) DAN MOODY,
(Seal) Governor of Texas.

By the Governor:

JANE Y. McCALLUM,
Secretary of State.

I, Jane Y. McCallum, Secretary of State of the State of Texas, do hereby certify that the foregoing is a true and correct copy of proclamation issued by the Governor of the State of Texas on April 9, 1929, calling a Special Session of the Forty-first Legislature to convene in the city of Austin at 12 o'clock, noon, Monday, the 22nd day of April, A. D. 1929.

In testimony whereof, I have hereunto signed my name officially and caused to be impressed hereon the seal of State at my office in the city of Austin this 11th day of April, A. D. 1929.

(Signed) JANE Y. McCALLUM,
(Seal) Secretary of State.

PROVIDING FOR COMMITTEE TO
NOTIFY GOVERNOR.

Mr. Graves of Williamson offered the following resolution:

Resolved, That the Speaker appoint two committees, of five members each, one to notify the Governor and the other to notify the Senate, that the House is now organized and ready for business.

Signed—Graves of Williamson, Johnson of Dimmit, Wallace, McGill, Loy.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committees:

To notify Governor: Messrs. Graves of Williamson, Johnson of Dimmit, Loy, McGill and Wallace.

To notify Senate: Messrs. Albritton, Tillotson, Finn, Turner and Sanders.

OATH OF OFFICE ADMINISTERED.

The Speaker announced that Hon. F. H. Marks, Representative-elect from the 109th Representative District, was within the bar of the House and that the constitutional oath would now be administered to him.

The Speaker appointed the following committee to escort Mr. Marks to the Speaker's stand:

Messrs. Reid, Giles and Cox of Limestone.

The committee having performed their duty, Speaker Barron then administered the oath of office to Mr. Marks.

Mr. Marks then addressed the House.

SENATE NOTIFIED.

The committee appointed to notify the Senate that the House is now organized and ready for the transaction of business appeared at the bar of the House and, being duly announced, stated that they had performed the duty assigned them.

GOVERNOR NOTIFIED.

The committee appointed to notify the Governor that the House is now organized and ready for the transaction of business appeared at the bar of the House and, being duly announced, stated that they had performed the duty assigned them.

PROVIDING FOR SUPPLIES FOR MEMBERS AND EMPLOYES.

Mr. Holder offered the following resolution:

Resolved, That each member be allowed \$15 for postage stamps, and the Speaker \$25, and the Chief Clerk \$15, the Committee on Contingent Expense and the Committee on Appropriations \$10 each, to be paid out of the contingent expense fund of the House;

Resolved, That the postoffice box rent of the members of the House shall be paid out of the contingent expense fund of the House, upon approval of the Committee on Contingent Expense.

Resolved, That all requisitions for paper and supplies necessary for the preparation of bills, for the enrolling and engrossing rooms, the minute books and blank paper for use of committees, the letterheads, envelopes, etc., to be used by the members or employes of the House, be made under the direction of the Committee on Contingent Expense.

Resolved, That the chairman of the Committee on Contingent Expense be authorized to rent typewriters for the use of stenographers and Enrolling Clerk and Engrossing Clerk of the House, and to purchase typewriter ribbons, the cost to be paid out of the contingent fund of the House.

Resolved, That the Sergeant-at-Arms shall be custodian of the stationery and stationery supplies required by the House; that said supplies be obtained and disposed of and accounted for by the Sergeant-at-Arms, as provided by Rule 3, Section 4, of the Rules of the Thirty-third Legislature.

The resolution was read second time.

Mr. McCombs offered the following amendment to the resolution:

Change \$15 to \$25 for stamps, individual members.

Signed—McCombs, Hardy, Keller.

Mr. Veatch offered the following substitute for the amendment:

Amend by striking out \$15 for stamps and insert \$10 in lieu thereof.

On motion of Mr. McCombs, the substitute amendment was tabled.

Question then recurring on the amendment by Mr. McCombs, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—46.

| | |
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| Acker. | Keller. |
| Baldwin. | Kenyon. |
| Barnett. | Long of Houston. |
| Bradley. | Long of Wichita. |
| Chastain. | McCombs. |
| Conway. | Montgomery. |
| DeWolfe. | Morse. |
| Dunlap. | Olsen. |
| Duvall. | Palmer. |
| Ewing. | Patterson. |
| Finn. | Petsch. |
| Gates. | Pool. |
| Gilbert. | Pope of Nueces. |
| Hardy. | Reader. |
| Harding. | Richardson. |
| Hines. | Rountree. |
| Hopkins. | Shelton. |
| Hornaday. | Smith. |
| Johnson | Speck. |
| of Dimmit. | Strong. |
| Johnson of Scurry. | Van Zandt. |
| Jones. | Warwick. |
| Justiss. | Williams |
| Keeton. | of Travis. |

Nays—68.

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| Adkins. | Heaton. |
| Albritton. | Hefley. |
| Anderson. | Hogg. |
| Baker. | Hubbard. |
| Bateman. | Jenkins. |
| Bond. | Johnson of Smith. |
| Bounds. | Kennedy. |
| Brice. | Kinnear. |
| Coltrin. | Lee. |
| Cox of Lamar. | Lemens. |
| Davis. | Loy. |
| Eickenroht. | Mankin. |
| Finlay. | Mauritz. |
| Forbes. | Maynard. |
| Gerron. | McGill. |
| Giles. | McKean. |
| Graves | Metcalfe. |
| of Williamson. | Minor. |
| Graves of Erath. | Mullally. |
| Harman. | Murphy. |
| Harper. | Negley. |

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| O'Neill. | Thompson. |
| Pope of Jones. | Thurmond. |
| Prendergast. | Tillotson. |
| Ray. | Turner. |
| Reid. | Veatch. |
| Renfro. | Waddell. |
| Rogers. | Wallace. |
| Sanders. | Walters. |
| Savage. | Webb. |
| Shaver. | Wiggs. |
| Sherrill. | Williams |
| Shipman. | of Sabine. |
| Sinks. | Woodall. |
| Stevenson. | Young. |

Absent.

| | |
|-------------------|------------|
| Ackerman. | McDonald. |
| Avis. | Mehl. |
| Beck. | Moore. |
| Brooks. | Mosely. |
| Carpenter. | Nicholson. |
| Cox of Navarro. | Pavlica. |
| Cox of Limestone. | Purl. |
| Enderby. | Quinn. |
| Fuchs. | Simmons. |
| Harrison. | Snelgrove. |
| Holder. | Stephens. |
| Kayton. | Storey. |
| Kemble. | Tarwater. |
| Kincaid. | Westbrook. |
| King. | White. |
| Land. | Williams |
| Marks. | of Hardin. |
| Martin. | Woodruff. |

Mr. Kennedy offered the following amendment to the resolution:

Amend the resolution by substituting the words \$5 wherever the words \$15 occur.

The amendment was lost.

Mr. Finlay offered the following amendment to the resolution:

Amend the resolution to allow \$15 for telephone and telegraph expense for each member, same to be sworn to in the usual manner.

The amendment was adopted.

Mr. Keller offered the following amendment to the resolution:

Amend resolution by changing \$15 to \$20 for stamps for individual members.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—50.

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| Anderson. | DeWolfe. |
| Baldwin. | Duwall. |
| Barnett. | Ewing. |
| Bradley. | Finn. |
| Brice. | Gates. |
| Chastain. | Hardy. |

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| Harding. | Montgomery. |
| Harman. | Morse. |
| Hines. | Nicholson. |
| Holder. | Olsen. |
| Hopkins. | O'Neill. |
| Hornaday. | Palmer. |
| Johnson | Patterson. |
| of Dimmit. | Petsch. |
| Johnson of Scurry. | Pope of Nueces. |
| Jones. | Reader. |
| Justiss. | Richardson. |
| Keeton. | Rountree. |
| Keller. | Shelton. |
| Kenyon. | Smith. |
| Kinnear. | Speck. |
| Long of Houston. | Tillotson. |
| Long of Wichita. | Turner. |
| Maynard. | Van Zandt. |
| McCombs. | Warwick. |
| Mehl. | |

Nays—64.

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|-------------------|----------------|
| Acker. | McGill. |
| Adkins. | McKean. |
| Albritton. | Metcalfe. |
| Baker. | Minor. |
| Bateman. | Mosely. |
| Bond. | Mullally. |
| Bounds. | Murphy. |
| Carpenter. | Negley. |
| Coltrin. | Pope of Jones. |
| Conway. | Prendergast. |
| Cox of Lamar. | Ray. |
| Davis. | Reid. |
| Eickenroht. | Renfro. |
| Finlay. | Rogers. |
| Forbes. | Sanders. |
| Gerron. | Savage. |
| Gilbert. | Shaver. |
| Graves | Sherrill. |
| of Williamson. | Shipman. |
| Graves of Erath. | Sinks. |
| Harper. | Strong. |
| Heaton. | Thompson. |
| Hefley. | Thurmond. |
| Hogg. | Veatch. |
| Hubbard. | Waddell. |
| Jenkins. | Wallace. |
| Johnson of Smith. | Walters. |
| Kennedy. | Webb. |
| Lee. | Wiggs. |
| Lemens. | Williams |
| Loy. | of Sabine. |
| Mankin. | Woodall. |
| Mauritz. | Young. |

Absent.

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| Ackerman. | Giles. |
| Avis. | Harrison. |
| Beck. | Kayton. |
| Brooks. | Kemble. |
| Cox of Navarro. | Kincaid. |
| Cox of Limestone. | King. |
| Dunlap. | Land. |
| Enderby. | Marks. |
| Fuchs. | Martin. |

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| McDonald. | Storey. |
| Moore. | Tarwater. |
| Pavlica. | Westbrook. |
| Pool. | White. |
| Purl. | Williams |
| Quinn. | of Hardin. |
| Simmons. | Williams |
| Snelgrove. | of Travis. |
| Stephens. | Woodruff. |
| Stevenson. | |

Mr. Baldwin offered the following amendment to the resolution:

Amend resolution by striking out figures \$15 and insert \$19.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—44.

| | |
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| Baldwin. | Maynard. |
| Barnett. | McCombs. |
| Bradley. | Mehl. |
| DeWolfe. | Montgomery. |
| Duvall. | Morse. |
| Ewing. | Nicholson. |
| Finn. | Olsen. |
| Gates. | O'Neill. |
| Hardy. | Palmer. |
| Harding. | Patterson. |
| Holder. | Petsch. |
| Hopkins. | Pool. |
| Hornaday. | Pope of Nueces. |
| Johnson | Reader. |
| of Dimmit. | Richardson. |
| Johnson of Scurry. | Rountree. |
| Justiss. | Smith. |
| Keeton. | Speck. |
| Keller. | Strong. |
| Kenyon. | Turner. |
| Kinnear. | Van Zandt. |
| Long of Houston. | Warwick. |
| Long of Wichita. | |

Nays—72.

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| Acker. | Gerron. |
| Ackerman. | Gilbert. |
| Adkins. | Graves |
| Albritton. | of Williamson. |
| Anderson. | Graves of Erath. |
| Baker. | Harman. |
| Bateman. | Harper. |
| Bond. | Heaton. |
| Bounds. | Hefley. |
| Brice. | Hines. |
| Carpenter. | Hogg. |
| Chastain. | Hubbard. |
| Coltrin. | Jenkins. |
| Conway. | Jones. |
| Cox of Lamar. | Kennedy. |
| Davis. | Lee. |
| Eickenroht. | Lemens. |
| Finlay. | Loy. |
| Forbes. | Mankin. |

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| Mauritz. | Shelton. |
| McGill. | Sherrill. |
| McKean. | Shipman. |
| Metcalfe. | Sinks. |
| Minor. | Stevenson. |
| Mosely. | Thompson. |
| Mullally. | Thurmond. |
| Murphy. | Tillotson. |
| Negley. | Veatch. |
| Pavlica. | Waddell. |
| Pope of Jones. | Wallace. |
| Prendergast. | Walters. |
| Ray. | Webb. |
| Reid. | Wiggs. |
| Renfro. | Williams |
| Rogers. | of Sabine. |
| Sanders. | Woodall. |
| Savage. | Young. |
| Shaver. | |

Absent.

| | |
|-------------------|------------|
| Avis. | Martin. |
| Beck. | McDonald. |
| Brooks. | Moore. |
| Cox of Navarro. | Purl. |
| Cox of Limestone. | Quinn. |
| Dunlap. | Simmons. |
| Enderby. | Snelgrove. |
| Fuchs. | Stephens. |
| Giles. | Storey. |
| Harrison. | Tarwater. |
| Johnson of Smith. | Westbrook. |
| Kayton. | White. |
| Kemble. | Williams |
| Kincaid. | of Hardin. |
| King. | Williams |
| Land. | of Travis. |
| Marks. | Woodruff. |

Mr. Davis offered the following amendment to the resolution:

Amend by adding the words, "to be paid out of the contingent expense fund."

Mr. Van Zandt moved the previous question on the pending amendment and the resolution, and the main question was ordered.

Question first recurring on the amendment, it was adopted.

Question then recurring on the resolution, it was adopted by the following vote:

Yeas—108.

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| Acker. | Chastain. |
| Ackerman. | Coltrin. |
| Adkins. | Conway. |
| Baker. | Cox of Lamar. |
| Barnett. | Davis. |
| Bateman. | DeWolfe. |
| Bond. | Dunlap. |
| Bounds. | Duvall. |
| Brice. | Ewing. |
| Brooks. | Eickenroht. |
| Carpenter. | Finn. |

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| Finlay. | Mullally. |
| Forbes. | Murphy. |
| Gates. | Negley. |
| Gerron. | Nicholson. |
| Gilbert. | Olsen. |
| Graves of Erath. | O'Neill. |
| Hardy. | Palmer. |
| Harman. | Patterson. |
| Harper. | Pavlica. |
| Heaton. | Petsch. |
| Hefley. | Pope of Jones. |
| Hines. | Pope of Nueces. |
| Hogg. | Prendergast. |
| Holder. | Ray. |
| Hopkins. | Reader. |
| Hornaday. | Reid. |
| Hubbard. | Renfro. |
| Jenkins. | Richardson. |
| Johnson | Rogers. |
| of Dimmit. | Rountree. |
| Johnson of Smith. | Sanders. |
| Johnson of Scurry. | Savage. |
| Jones. | Shaver. |
| Justiss. | Shelton. |
| Keeton. | Sherrill. |
| Kemble. | Shipman. |
| Kenyon. | Sinks. |
| Kinnear. | Smith. |
| Lee. | Speck. |
| Lemens. | Stevenson. |
| Long of Houston. | Strong. |
| Long of Wichita. | Thompson. |
| Loy. | Thurmond. |
| Mankin. | Tillotson. |
| Mauritz. | Turner. |
| Maynard. | Van Zandt. |
| McGill. | Veatch. |
| McKean. | Waddell. |
| Metcalfe. | Walters. |
| Minor. | Warwick. |
| Montgomery. | Webb. |
| Moore. | Wiggs. |
| Morse. | Williams of Sabine. |
| Mosely. | Woodall. |

Nays—8.

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| Albritton. | Harding. |
| Anderson. | Keller. |
| Baldwin. | Kennedy. |
| Graves | McCombs. |
| of Williamson. | |

Absent.

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| Avis. | Marks. |
| Beck. | Martin. |
| Bradley. | McDonald. |
| Cox of Navarro. | Mehl. |
| Cox of Limestone. | Pool. |
| Enderby. | Purl. |
| Fuchs. | Quinn. |
| Giles. | Simmons. |
| Harrison. | Snelgrove. |
| Kayton. | Stephens. |
| Kincaid. | Storey. |
| King. | Tarwater. |
| Land. | Westbrook. |

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| White. | Woodruff. |
| Williams of Hardin. | Young. |
| Williams of Travis. | |
| Absent—Excused. | |

Wallace.

PROVIDING FOR NEWSPAPERS FOR MEMBERS.

Mr. McCombs offered the following resolution:

Resolved, That each member of the House be allowed four newspapers per day, the expense of same to be paid out of the contingent fund of the House.

The resolution was read second time.

Mr. Kennedy offered the following amendment to the resolution:

Amend the resolution by striking out "four" and substituting the word "three" wherever it appears.

Mr. Keller moved to table the amendment, and the motion to table was lost.

Question then recurring on the amendment, it was adopted.

Question then recurring on the resolution, it was adopted.

PROVIDING FOR HOUSE JOURNALS.

Mr. Davis offered the following resolution:

Resolved, by the House of Representatives, That 1200 copies of the House Journal of each day be printed, 100 to be delivered to the Senate, two copies to be placed on each member's desk daily, three copies to be delivered to the head of each State department, 75 copies of same to the State Library, and the remainder to be left with the Sergeant-at-Arms for distribution under the direction of the Speaker.

The resolution was read second time and was adopted.

MESSAGE FROM THE GOVERNOR.

Mr. Pat Daugherty, secretary to the Governor, appeared at the bar of the House and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,

Austin, Texas, April 22, 1929.

To the Members of the Forty-first Legislature:

It is my desire to first submit for your consideration subjects under which I believe legislation may be passed that will improve departmental economy and efficiency. Therefore, the following subjects are respectfully submitted for your consideration:

(1) The enactment of laws providing for the concentration of the Texas prison system and the improvement of said system along modern and scientific lines.

(2) The enactment of laws with reference to the handling of prisoners in the State penitentiary, including the adoption of an adequate parole plan.

(3) The enactment of laws carrying into effect the amendment to Section 8, of Article VII, of the Constitution.

(4) The enactment of laws to place the selection of subordinate employes of the State government upon a merit basis.

(5) The enactment of statutes to abolish the terms of the several district courts of the State, and to provide that such courts may hold sessions in any county of their several districts at any time, to be determined by the judge of such court, and to otherwise simplify and reform the procedure in civil cases.

Respectfully submitted,

DAN MOODY,
Governor of Texas.

PROVIDING FOR EMPLOYES OF THE HOUSE.

Mr. Woodall offered the following resolution:

Resolved, That the Speaker of the House shall appoint the following employes for the First Called Session of the Forty-first Legislature, to serve for such compensation as hereafter provided:

One parliamentary to the Speaker, \$7.50 per day.

One private secretary to the Speaker, \$7.50 per day.

One clerk for Speaker's office, \$4 per day.

One porter to the Speaker, \$3 per day.

One secretary to Chief Clerk, \$5 per day.

One clerk to Chief Clerk, \$4 per day.

One clerk to Committee on Contingent Expenses, \$5 per day.

One clerk to Committees on Enrolling and Engrossing Bills, \$5 per day.

One warrant clerk, \$5 per day.

One assistant to Journal Clerk, \$7.50 per day.

One assistant to Calendar Clerk, \$5 per day.

One assistant to Sergeant-at-Arms, \$5 per day.

One Doorkeeper for bar of House, \$5 per day.

One sergeant-at-arms for gallery, \$5 per day.

As many expert typists as in the judg-

ment of the Speaker are needed, \$5 per day.

One clerk for Committee on Appropriations, \$7.50 per day.

Thirty expert stenographers, \$5 per day each.

Eight committee clerks, \$5 per day.

One mailing clerk for Journal, \$5 per day.

One assistant mailing clerk for Journal, \$5 per day.

One page for Doorkeeper, \$2.50 per day.

One page for Engrossing and Enrolling Divisions, \$2.50 per day.

One page for stenographic force, \$2.50 per day.

Twenty-two pages, \$2.50 per day.

One secretary to Mr. Van Zandt of Grayson county, \$4 per day.

One bookkeeper to the Sergeant-at-Arms, \$7.50 per day.

One storekeeper to the Sergeant-at-Arms, \$4 per day.

One clerk to the Sergeant-at-Arms, \$4 per day.

One superintendent of House, \$100 per month.

One night watchman, \$5 per day.

One elevator man, \$4 per day.

Two messengers to carry papers to Confederate Home and to Woman's Confederate Home, \$2.50 per day each.

Fifteen porters, \$3 per day each.

One chief operator for voting machine, \$7.50 per day.

One assistant operator for voting machine, \$5 per day.

Resolved further, That it shall be the duty of the Speaker, and he is hereby empowered, to dispense with the services of any employe who in his judgment is not further needed, and for misconduct of any employe; and further, he shall have the power to appoint extra help when in his judgment it is necessary. The duties of the employes hereinbefore mentioned shall be such as are required by the Speaker of the House of Representatives.

Any of the employes may be excused by the Speaker for causes deemed by him sufficient; provided further, that any employe who shall be absent without leave shall not receive any compensation for the time missed during said absence. The salaries of the employes shall begin when they are instructed to begin work by the Speaker.

Signed—Woodall, Gilbert, Murphy, Cox of Navarro.

The resolution was read second time.

Mr. Kemble offered the following amendment to the resolution:

Amend by making parliamentarian's salary \$10 per day.

Signed—Kemble, Thompson, Morse, McCombs, Hogg, Montgomery, Petsch, Baldwin, Negley.

The amendment was adopted by the following vote:

Yeas—75.

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| Adkins. | McCombs. |
| Baker. | McGill. |
| Baldwin. | McKean. |
| Bateman. | Mehl. |
| Bradley. | Metcalfe. |
| Brice. | Montgomery. |
| Carpenter. | Morse. |
| Chastain. | Mullally. |
| Dunlap. | Negley. |
| Duvall. | Nicholson. |
| Ewing. | Olsen. |
| Finn. | O'Neill. |
| Forbes. | Palmer. |
| Gates. | Patterson. |
| Graves | Pavlica. |
| of Williamson. | Petsch. |
| Graves of Erath. | Pool. |
| Hardy. | Pope of Jones. |
| Harding. | Quinn. |
| Harper. | Ray. |
| Hefley. | Reader. |
| Hines. | Richardson. |
| Hogg. | Rountree. |
| Hopkins. | Savage. |
| Hubbard. | Shaver. |
| Johnson | Shelton. |
| of Dimmit. | Shipman. |
| Johnson of Smith. | Sinks. |
| Johnson of Scurry. | Smith. |
| Jones. | Speck. |
| Justiss. | Stephens. |
| Keeton. | Stevenson. |
| Keller. | Strong. |
| Kemble. | Thompson. |
| Kenyon. | Turner. |
| Kinnear. | Van Zandt. |
| Lee. | Waddell. |
| Long of Houston. | Walters. |
| Long of Wichita. | Warwick. |
| Mankin. | Wiggs. |
| Mauritz. | Williams |
| Maynard. | of Sabine. |

Nays—27.

| | |
|------------|--------------|
| Albritton. | Giles. |
| Barnett. | Heaton. |
| Bond. | Holder. |
| Bounds. | Jenkins. |
| Coltrin. | Kennedy. |
| Conway. | Loy. |
| Davis. | Mosely. |
| DeWolfe. | Murphy. |
| Finlay. | Prendergast. |
| Gerron. | Reid. |
| Gilbert. | Renfro. |

Rogers.
Sherrill.
Veatch.

Wallace.
Woodall.

Present—Not Voting.

Harman.

Absent.

| | |
|-------------------|-----------------|
| Acker. | McDonald. |
| Ackerman. | Minor. |
| Anderson. | Moore. |
| Avis. | Pope of Nueces. |
| Beck. | Purl. |
| Brooks. | Sanders. |
| Cox of Navarro. | Simmons. |
| Cox of Lamar. | Snelgrove. |
| Cox of Limestone. | Storey. |
| Enderby. | Tarwater. |
| Eickenroht. | Thurmond. |
| Fuchs. | Tillotson. |
| Harrison. | Webb. |
| Hornaday. | Westbrook. |
| Kayton. | White. |
| Kincaid. | Williams |
| King. | of Hardin. |
| Land. | Williams |
| Lemens. | of Travis. |
| Marks. | Woodruff. |
| Martin. | Young. |

Mr. Kemble moved to reconsider the vote by which the amendment was adopted, and to table the motion to reconsider.

The motion to table prevailed.

Mr. Barnett offered the following amendment to the resolution:

Amend resolution by striking out the words, wherever they appear, "pages \$2.50 per day" and insert in lieu thereof the words "pages \$3 per day."

The amendment was adopted.

Mr. Keeton offered the following amendment to the resolution:

Amend resolution so as to provide for thirty-five stenographers instead of thirty.

On motion of Mr. Reid, the amendment was tabled.

Mr. Davis offered the following amendment to the resolution:

Amend by fixing salary of clerk to Committee on Contingent Expenses at \$7.50 per day.

Question recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—33.

| | |
|----------|------------------|
| Adkins. | Finn. |
| Barnett. | Finlay. |
| Bateman. | Forbes. |
| Davis. | Graves of Erath. |
| Ewing. | Hardy. |

| | |
|--------------------|----------------|
| Hefley. | Nicholson. |
| Hines. | Olsen. |
| Holder. | Petsch. |
| Hornaday. | Pope of Jones. |
| Johnson of Smith. | Reader. |
| Johnson of Scurry. | Reid. |
| Kemble. | Rountree. |
| Kenyon. | Smith. |
| Long of Wichita. | Strong. |
| Mehl. | Williams |
| Metcalfe. | of Sabine. |
| Morse. | Woodall. |

Nays—65.

| | |
|---------------|------------------|
| Ackerman. | Long of Houston. |
| Albritton. | Maynard. |
| Anderson. | McCombs. |
| Baker. | McGill. |
| Bond. | McKean. |
| Bounds. | Montgomery. |
| Bradley. | Mosely. |
| Brice. | Mullally. |
| Brooks. | Murphy. |
| Carpenter. | Negley. |
| Chastain. | O'Neill. |
| Coltrin. | Palmer. |
| Conway. | Pavlica. |
| Cox of Lamar. | Pool. |
| DeWolfe. | Pope of Nueces. |
| Gates. | Prendergast. |
| Gerron. | Ray. |
| Gilbert. | Renfro. |
| Giles. | Richardson. |
| Harman. | Rogers. |
| Harper. | Sanders. |
| Heaton. | Savage. |
| Hopkins. | Shelton. |
| Hubbard. | Sherrill. |
| Jenkins. | Shipman. |
| Johnson | Thompson. |
| of Dimmit. | Thurmond. |
| Jones. | Turner. |
| Justiss. | Van Zandt. |
| Keller. | Veatch. |
| Kennedy. | Wallace. |
| Kinnear. | Warwick. |
| Lee. | Webb. |
| Lemens. | Wiggs. |

Present—Not Voting.

Tillotson.

Absent.

| | |
|-------------------|-----------|
| Acker. | Harding. |
| Avis. | Harrison. |
| Baldwin. | Hogg. |
| Beck. | Kayton. |
| Cox of Navarro. | Keeton. |
| Cox of Limestone. | Kincaid. |
| Dunlap. | King. |
| Duvall. | Land. |
| Enderby. | Loy. |
| Eickenroht. | Mankin. |
| Fuchs. | Marks. |
| Graves | Martin. |
| of Williamson. | Mauritz. |

| | |
|------------|------------|
| McDonald. | Storey. |
| Minor. | Tarwater. |
| Moore. | Waddell. |
| Patterson. | Walters. |
| Purl. | Westbrook. |
| Quinn. | White. |
| Shaver. | Williams |
| Simmons. | of Hardin. |
| Sinks. | Williams |
| Snelgrove. | of Travis. |
| Speck. | Woodruff. |
| Stephens. | Young. |
| Stevenson. | |

Mr. Van Zandt offered the following amendment to the resolution:

Amend the resolution by making the salary of the Chief Clerk, Calendar Clerk and Journal Clerk \$10 per day.

Mr. McCombs offered the following amendment to the amendment:

Amend the amendment by adding Assistant Journal Clerk.

On motion of Mr. Finlay, the amendment to the amendment was tabled.

Mr. Barnett offered the following amendment to the amendment:

Amend amendment and resolution to include Sergeant-at-Arms, \$10.

On motion of Mr. Quinn, the amendment was tabled.

Mr. Graves of Williamson offered the following substitute for the amendment:

Amend amendment by increasing the pay of Chief Clerk and Calendar Clerk to \$10 per day.

On motion of Mr. Kennedy, the substitute amendment was tabled.

Mr. Jenkins made the following motion:

I move that the resolution now pending be printed in the Journal, and that further consideration of same be postponed until 10 a. m. Tuesday, April 23.

On motion of Mr. Morse, the motion was tabled.

On motion of Mr. Bond, the pending amendment by Mr. Van Zandt was tabled.

Mr. DeWolfe offered the following amendment to the resolution:

Amend resolution by providing the Chief Clerk's salary shall be \$10 per day.

Signed—DeWolfe, Kayton, Justiss.

Mr. Veatch moved to table the amendment, and the motion to table was lost.

Mr. Kemble moved the previous question on the pending amendment and the resolution, and the main question was ordered.

Question then recurring on the amendment, it was adopted by the following vote:

Yeas—62.

| | |
|--------------------|------------------|
| Adkins. | Long of Wichita. |
| Anderson. | Loy. |
| Baldwin. | Mauritz. |
| Barnett. | Maynard. |
| Bradley. | McCombs. |
| Brooks. | Mehl. |
| Carpenter. | Metcalf. |
| Chastain. | Montgomery. |
| Coltrin. | Morse. |
| Conway. | Murphy. |
| DeWolfe. | Nicholson. |
| Duvall. | Olsen. |
| Ewing. | Palmer. |
| Gates. | Patterson. |
| Gerron. | Pope of Jones. |
| Graves. | Prendergast. |
| of Williamson. | Purl. |
| Graves of Erath. | Reader. |
| Hardy. | Reid. |
| Heaton. | Richardson. |
| Hogg. | Rountree. |
| Holder. | Shaver. |
| Hopkins. | Shelton. |
| Hornaday. | Smith. |
| Johnson. | Strong. |
| of Dimmit. | Tillotson. |
| Johnson of Smith. | Turner. |
| Johnson of Scurry. | Van Zandt. |
| Justiss. | Warwick. |
| Kayton. | Williams |
| Kemble. | of Travis. |
| Kinnear. | Woodall. |
| Long of Houston. | |

Nays—44.

| | |
|-------------|-----------------|
| Ackerman. | Mankin. |
| Albritton. | McGill. |
| Baker. | McKean. |
| Bond. | Mosely. |
| Bounds. | Mullally. |
| Brice. | O'Neill. |
| Davis. | Pavlica. |
| Enderby. | Petsch. |
| Eickenroht. | Pool. |
| Finlay. | Pope of Nueces. |
| Forbes. | Ray. |
| Gilbert. | Renfro. |
| Giles. | Rogers. |
| Harman. | Savage. |
| Harper. | Sherrill. |
| Hubbard. | Shipman. |
| Jenkins. | Stevenson. |
| Jones. | Thurmond. |
| Kennedy. | Veatch. |
| Kenyon. | Walters. |
| Kincaid. | Wiggs. |
| Lee. | Young. |

Absent.

| | |
|-----------------|-------------------|
| Acker. | Cox of Lamar. |
| Avis. | Cox of Limestone. |
| Bateman. | Dunlap. |
| Beck. | Finn. |
| Cox of Navarro. | Fuchs. |

| | |
|-----------|---------------------|
| Harding. | Sanders. |
| Harrison. | Simmons. |
| Hefley. | Sinks. |
| Hines. | Snelgrove. |
| Keeton. | Speck. |
| Keller. | Stephens. |
| King. | Storey. |
| Land. | Tarwater. |
| Lemens. | Thompson. |
| Marks. | Waddell. |
| Martin. | Webb. |
| McDonald. | Westbrook. |
| Minor. | White. |
| Moore. | Williams of Sabine. |
| Negley. | Williams of Hardin. |
| Quinn. | Woodruff. |

Absent—Excused.

Wallace.

Question then recurring on the resolution, it was adopted by the following vote:

Yeas—82.

| | |
|--------------------|------------------|
| Adkins. | Long of Wichita. |
| Albritton. | Loy. |
| Anderson. | Mauritz. |
| Baldwin. | Maynard. |
| Barnett. | McCombs. |
| Bateman. | McGill. |
| Bounds. | McKean. |
| Bradley. | Mehl. |
| Carpenter. | Metcalf. |
| Chastain. | Montgomery. |
| Coltrin. | Moore. |
| Conway. | Morse. |
| Davis. | Murphy. |
| DeWolfe. | Nicholson. |
| Duvall. | Olsen. |
| Ewing. | Palmer. |
| Finn. | Patterson. |
| Gates. | Petsch. |
| Gerron. | Pope of Jones. |
| Gilbert. | Prendergast. |
| Giles. | Reader. |
| Graves of Erath. | Reid. |
| Hardy. | Richardson. |
| Harman. | Rountree. |
| Heaton. | Savage. |
| Hefley. | Shaver. |
| Hines. | Shelton. |
| Hogg. | Shipman. |
| Holder. | Sinks. |
| Hopkins. | Smith. |
| Hornaday. | Thompson. |
| Hubbard. | Thurmond. |
| Johnson. | Tillotson. |
| of Dimmit. | Turner. |
| Johnson of Smith. | Van Zandt. |
| Johnson of Scurry. | Waddell. |
| Kayton. | Walters. |
| Keeton. | Warwick. |
| Kemble. | Williams |
| Kenyon. | of Sabine. |
| Kincaid. | Woodall. |
| Kinnear. | Young. |

Nays—28.

| | |
|-------------|-----------------|
| Ackerman. | Mankin. |
| Baker. | Mosely. |
| Bond. | Mullally. |
| Brice. | O'Neill. |
| Brooks. | Pool. |
| Enderby. | Pope of Nueces. |
| Eickenroht. | Purl. |
| Finlay. | Ray. |
| Forbes. | Renfro. |
| Harper. | Rogers. |
| Jenkins. | Sherrill. |
| Jones. | Stevenson. |
| Kennedy. | Veatch. |
| Lee. | Wiggs. |

Absent.

| | |
|-------------------|------------|
| Acker. | Minor. |
| Avis. | Negley. |
| Beck. | Pavlica. |
| Cox of Navarro. | Quinn. |
| Cox of Lamar. | Sanders. |
| Cox of Limestone. | Simmons. |
| Dunlap. | Snelgrove. |
| Fuchs. | Speck. |
| Graves | Stephens. |
| of Williamson. | Storey. |
| Harding. | Strong. |
| Harrison. | Tarwater. |
| Justiss. | Webb. |
| Keller. | Westbrook. |
| King. | White. |
| Land. | Williams |
| Lemens. | of Hardin. |
| Long of Houston. | Williams |
| Marks. | of Travis. |
| Martin. | Woodruff. |
| McDonald. | |

Absent—Excused.

Wallace.

RELATING TO CONFIRMING APPOINTMENT OF O. B. COLQUITT.

Mr. Barnett offered the following resolution:

Whereas, The Hon. Herbert Hoover, President of the United States, has announced the appointment of O. B. Colquitt, former Governor of Texas, on the United States Board of Mediation; and

Whereas, The law requires that this position be filled by a Democrat; and

Whereas, Mr. Colquitt is not a Democrat, has no place in the ranks of the Democratic party, and is not recognized as a leader of any political party in this State; and

Whereas, His appointment as a member of the United States Board of Mediation meets with disapproval of the entire Democratic organization of the State of Texas, not only of the leaders in the party, but by the rank and file

of Texas Democracy; now, therefore, be it

Resolved, by the House of Representatives of the State of Texas, by adoption of this resolution, That the Honorables Morris Sheppard and Thomas Connally, members of the United States Senate from Texas, be asked to oppose the confirmation of Mr. Colquitt for this position before the Senate of the United States, and that the latter be asked to not confirm the appointment of O. B. Colquitt of Texas as a member of the United States Board of Mediation on the grounds that Mr. Colquitt is not a Democrat and, therefore, his appointment cannot comply with the law in creating this position.

The resolution was read second time.

On motion of Mr. Van Zandt, the resolution was referred to the Committee on Federal Relations.

RELATING TO VISITING STATE UNIVERSITY.

Mr. Young offered the following resolution:

Whereas, The faculty and student-body of the University of Texas have planned an entertainment for the members of the Legislature, beginning at 3:30 p. m. Tuesday, April 23, 1929, consisting of a tour of the campus and a banquet at the University Commons at 6:15 p. m.; and

Whereas, Many members of the Legislature have never had an opportunity to view the University plant, and a visit to said institution would be of benefit to each member; therefore, be it

Resolved, by the House of Representatives, the Senate concurring, That we accept the invitation of the faculty and the student-body to the tour of the campus and the banquet given for the Legislature.

The resolution was read second time and was adopted.

COMMUNICATION FROM HON. R. E. THOMASON.

The Speaker laid before the House and had read the following communication:

El Paso, Texas, April 10, 1929.

Hon. Adrian Pool, care House of Representatives, Austin, Texas:

This is to advise you and other friends of the School of Mines in the Legislature that on yesterday the people of El Paso, by vote of more than ten to one, voted thirty-seven thousand dollars in bonds to buy the thirty-seven acres of land adjoining the School of Mines and lying

between it and the best residential section of the city of El Paso. You will please advise your friends that, as evidence of our good faith and our enthusiastic support of the School of Mines, we propose to deed this land to the University. To enlarge the campus of the School of Mines, it is absolutely necessary that we have more buildings and equipment and we, therefore, hope that the recommendations of the Board of Control will be accepted. The people of El Paso will do anything within reason to meet any requirements of the Legislature. It does not mean the creation of a new school, but it does mean the proper and just support of an existing institution that must have help if it is to prosper.

R. E. THOMASON, Mayor.

On motion of Mr. Pool, the communication was ordered printed in the Journal.

HOUSE NOTIFIED.

A committee from the Senate appeared at the bar of the House and, being duly announced, stated that the Senate is now organized and ready for the transaction of business.

ADJOURNMENT.

On motion of Mr. Morse, the House, at 1:35 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

SECOND DAY.

(Tuesday, April 23, 1929.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Barron.

The roll was called and the following members were present:

| | |
|--------------|-------------------|
| Mr. Speaker. | Cox of Navarro. |
| Acker. | Cox of Lamar. |
| Ackerman. | Cox of Limestone. |
| Adkins. | Davis. |
| Albritton. | DeWolfe. |
| Baker. | Dunlap. |
| Baldwin. | Duvall. |
| Barnett. | Enderby. |
| Bateman. | Ewing. |
| Bond. | Eickenroht. |
| Bounds. | Finn. |
| Bradley. | Finlay. |
| Brice. | Forbes. |
| Brooks. | Gates. |
| Carpenter. | Gerron. |
| Chastain. | Gilbert. |
| Coltrin. | Giles. |
| Conway. | Graves of Erath. |

| | |
|--|---------------------|
| Graves of Williamson. | Olsen. |
| Hardy. | O'Neill. |
| Harding. | Palmer. |
| Harman. | Patterson. |
| Harper. | Pavlica. |
| Harrison. | Petsch. |
| Heaton. | Pool. |
| Hefley. | Pope of Jones. |
| Hines. | Pope of Nueces. |
| Hogg. | Prendergast. |
| Holder. | Purl. |
| Hubbard. | Quinn. |
| Jenkins. | Ray. |
| Johnson | Reader. |
| of Dimmit. | Reid. |
| Johnson of Smith. | Renfro. |
| Johnson of Scurry. | Richardson. |
| Jones. | Rogers. |
| Justiss. | Rountree. |
| Kayton. | Sanders. |
| Keeton. | Savage. |
| Keller. | Shaver. |
| Kennedy. | Shelton. |
| Kenyon. | Sherrill. |
| Kincaid. | Shipman. |
| Kinnear. | Simmons. |
| Land. | Sinks. |
| Lee. | Smith. |
| Lemens. | Snelgrove. |
| Long of Houston. | Speck. |
| Long of Wichita. | Stephens. |
| Loy. | Stevenson. |
| Mankin. | Strong. |
| Marks. | Tarwater. |
| Martin. | Thompson. |
| Mauritz. | Thurmond. |
| Maynard. | Tillotson. |
| McCombs. | Turner. |
| McGill. | Van Zandt. |
| McKean. | Veatch. |
| Mehl. | Waddell. |
| Metcalf. | Wallace. |
| Minor. | Walters. |
| Montgomery. | Warwick. |
| Moore. | Webb. |
| Morse. | Westbrook. |
| Mosely. | Wiggs. |
| Mullally. | Williams of Sabine. |
| Murphy. | Williams of Travis. |
| Negley. | Woodall. |
| Nicholson. | Woodruff. |
| | Young. |
| | Absent. |
| Beck. | King. |
| Fuchs. | White. |
| | Absent—Excused. |
| Anderson. | Kemble. |
| Avis. | McDonald. |
| Hopkins. | Storey. |
| Hornaday. | Williams of Hardin. |
| A quorum was announced present. | |
| Prayer was offered by Rev. J. C. Mitchell, Chaplain. | |